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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA, ) Criminal No. CR 07-0278 MAG

14 Plaintiff, )

15 v. )

16 DAVID INIGUEZ, )

17 Defendant. )

18 \_\_\_\_\_ )  
19 [PROPOSED] ORDER AND  
STIPULATION EXCLUDING TIME  
FROM OCTOBER 30, 2007 TO  
JANUARY 30, 2008

20 The parties appeared before the Honorable Elizabeth D. Laporte on October 30, 2007.

21 With the agreement of counsel for both parties, the Court found and held as follows:

22 1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. §  
23 3161(b), from October 30, 2007 to January 30, 2008, in light of the need for the defendant to  
24 obtain a determination in other administrative proceedings and in light of the need for  
25 defendant's continuity of counsel. Failure to grant the requested continuance would  
26 unreasonably deny defense counsel and government counsel reasonable time necessary for  
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effective preparation, taking into account the exercise of due diligence and the defendant's wish to obtain resolution on administrative proceedings with the Social Security Administration and for defendant's continuity of counsel.

2. Given these circumstances, the Court found that the ends of justice served by excluding the period from October 30, 2007 to January 30, 2008 outweigh the best interest of the public and the defendant in a speedy trial. *Id.* § 3161(h)(8)(A).

3. Accordingly, and with the consent of the defendant, the Court ordered that the period from October 30, 2007 to January 30, 2008 be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

## IT IS SO STIPULATED.

DATED: 11/26/07

/s/

DATED: 11/24/07

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/s/  
WENDY THOMAS  
Special Assistant U.S. Attorney

IT IS SO ORDERED.

DATED:

**THE HON. ELIZABETH D. LAPORTE**  
United States Magistrate Judge

**[PROPOSED] ORDER AND  
STIPULATION EXCLUDING TIME  
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